Proskauer

Proskauer's 29th Annual Trick or Treat Seminar

Not For Profit/Exempt Organizations Blog on **November 5, 2024**

Proskauer's 29th Annual Trick or Treat Seminar was held virtually on Thursday, October 31 and discussed timely topics and best practices specifically tailored to the not-for-profit community.

The seminar discussed:

- The Evolving Workplace: Recent Developments in DEI
- The Current Landscape of Popular Charitable Giving Tax Strategies for 2024 and Beyond
- Compensation and Benefits Developments

Amanda Nussbaum welcomed everyone and introduced the presenters.

Here are some key points from each presentation:

Rachel Fischer discussed current legal issues related to Diversity, Equity and Inclusion (DEI) in the workplace. She first covered recent Supreme Court decisions that have affected how courts and litigants have viewed DEI in the context of employment law. She then discussed trends in "reverse discrimination" cases in which non-minority litigants have challenged diversity initiatives as discriminatory or otherwise relied on information relating to diversity in pursuing their claims. Rachel described some of the top areas that employers have focused on in evaluating their own diversity initiatives, including affinity groups, diversity-based quotas and goals, tying compensation to diversity efforts, and supplier diversity challenges. She also discussed some of the questions that employers might focus on during DEI self-evaluations.

Christiana Lazo discussed the opportunity that the "great wealth transfer," the anticipated transfer of trillions of dollars in wealth from the Silent Generation and Baby Boomers, presents for charities. She emphasized donors' increasing focus on coupling philanthropy with tax efficiencies. Three of the tax provisions that were introduced with the 2017 Tax Cuts and Jobs Act and that will sunset 12/31/2025, absent any other legislation, all could affect donors' appetites for charitable giving: increased estate and gift exemptions, decreased top marginal income tax rate and increased charitable income deduction AGI limitations for certain donations. Christiana discussed how the economic environment, and specifically the increasing interest rate environment, has re-introduced charitable remainder trusts to the charitable giving toolbox for clients, especially those with highly appreciated assets. Donors are using philanthropy to maximize tax efficiencies, but also as a training ground for "next gen" education in anticipation of that great wealth transfer.

Katrina McCann provided an update on employee benefits. She provided an update in litigation trends and risk mitigation methods, focusing in particular on uncertainty in a post-*Chevron* world. She addressed new guidance on application of the long-term part-time rule to Code Section 403(b) plans subject to the "universal availability" rules. She also reviewed the practical implications of the new HIPAA rules with respect to reproductive health care and the new final regulations on mental health parity and its required analyses.

View original.

Related Professionals

- **Amanda H. Nussbaum**
  Partner
- **Christiana Lazo**
  Partner
- **Katrina E. McCann**
  Senior Counsel
- **Rachel S. Fischer**
  Partner